

President's request for missile defense. By reallocating more than \$800 million requested for missile defense to other programs, the bill fundamentally alters the President's priorities and leaves open the possibility that we will not adequately defend our Nation against a missile attack. I urge the Senate to reverse this flawed provision.

Mr. President, in closing I remind my colleagues that this bill also provides vital funding to support our forces currently engaged in the war against terrorism. This war is unlike any faced by my generation. It will not be won by large armies, but by dedicated, highly trained soldiers, sailors, airmen and marines. I am extremely proud of what our military personnel have accomplished and I have no doubt that their professionalism and dedication will bring an end to the terrorist threat. We owe these men and women the best our Nation can provide and we must show them our support by voting for this bill.

I thank the Chair.

Mr. LEVIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will call the roll. The legislative assistant proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate now proceed to a period for morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEMISE OF THE ABM TREATY

Mr. LEVIN. Madam President, as we have recently passed June 13, I want to discuss the demise of the Anti-Ballistic Missile ABM Treaty that ceased to exist after that date. I believe it is important to help a record of how this important treaty was brought to its end.

The ABM Treaty was signed by President Nixon in 1972 with the Soviet Union as an important element of U.S.-Soviet arms control and strategic stability. It served to prevent an arms race in defensive weapons that would have led to larger offensive nuclear missile forces. It thus helped pave the way for negotiated limits and reductions in strategic arms. It was supported by every U.S. President until President George W. Bush, including Presidents Ford, Reagan and the first President Bush.

The ABM Treaty affected only defenses against long-range, or strategic, ballistic missiles, those missiles with ranges of 5,500 kilometers or more. It has no effect on defenses against missiles of shorter ranges, which are the

only missiles that endanger our troops and allies today, and against which we have designed and built the Patriot theater missile defense system and helped develop Israel's Arrow missile defense system.

Both the United States and the Soviet Union saw this treaty as a central component of their efforts to ensure mutual security. Russia, like the Soviet Union before it, saw the ABM Treaty as one of the foundations for the structure of arms control and security arrangements that had been carefully built over three decades to reduce the risk of nuclear war.

As late as June 2000, at their Moscow summit, President Clinton and President Putin issued a joint statement emphasizing the importance of the ABM Treaty. That statement said the two Presidents "agree on the essential contribution of the ABM Treaty to reductions in offensive forces, and reaffirm their commitment to that treaty as a cornerstone of strategic stability." It also stated that "The Presidents reaffirm their commitment to continuing efforts to strengthen the ABM Treaty and to enhance its viability and effectiveness in the future, taking into account any changes in the international security environment."

Last December 13, President Bush announced that the United States would unilaterally withdraw from the treaty. The treaty permits either side to withdraw from the treaty upon six months notice if either side decides that "extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests."

Although President Bush and members of his administration said they would try to modify the treaty to permit the development, testing and deployment of a limited National Missile Defense system, in the end they did not offer an amendment to the Russians.

When he was campaigning for the presidency, then-Governor Bush gave a speech at The Citadel on September 23, 1999, in which he stated the following: "we will offer Russia the necessary amendments to the Anti-Ballistic Missile Treaty—an artifact of the Cold War confrontation." He went on to say: "If Russia refuses the changes we will give prompt notice, under the provisions of the Treaty, that we can no longer be a party to it."

That seems to be a clear and straightforward position. Candidate Bush said that the United States would offer amendments to the Russians to modify the treaty so as to permit the deployment of missile defense systems, and if Russia refused the amendments the President would withdraw the United States from the treaty.

But the administration didn't propose any amendments to the treaty that would permit it to remain in effect in a modified form that, in turn, would have permitted the testing and deployment of limited missiles defenses.

Instead, we tried to sell Russia on the idea of abandoning the treaty, not

modifying it. That was something the Russians were never going to accept.

Last year it was difficult to get a clear answer from the administration on its missile defense plans for fiscal year 2002, and whether they would be inconsistent with the ABM Treaty. First, Lieutenant General Ronald Kadish, director of the Ballistic Missile Defense Organization told us in June that he knew of no planned missile defense testing activities that would conflict with the treaty.

Later in June, Defense Secretary Rumsfeld told us he didn't know whether there would be a conflict because, even after the budget had been submitted to Congress, the missile defense program was undecided.

Then in July, Deputy Defense Secretary Wolfowitz said that our planned missile defense activities would inevitably "bump up" against the treaty in a manner of months, not years. He also said that by the time a planned missile defense activity encounters ABM Treaty constraints, "we fully hope and intend to have reached an understanding with Russia" on a new security framework with Russia that would include missile defenses.

Next came an announcement on October of last year by Secretary Rumsfeld that several planned missile defense tests were being postponed because they could have violated the treaty, even though one of the tests had already been postponed previously for entirely different technical reasons.

Finally, the President announced on December 13th that the United States would unilaterally withdraw from the ABM Treaty to permit testing and development of missile defenses, something Deputy Secretary Wolfowitz had previously called a "less than optimal" choice.

During all months of discussions and negotiations with the Russians we never heard details of any amendments proposed by the United States to modify the permit limited missile defenses. At the end we didn't offer an amendment to the treaty.

Secretary of State Colin Powell acknowledged this fact in a letter dated May 2, 2002 after I wrote him in January to ask whether the United States had, in fact, ever presented Russia with any proposed amendments or modifications to the treaty. "The direct answer to your question," wrote Secretary Powell, "is that we did not table a proposed amendment to the ABM Treaty."

The administration has made much of the argument that the ABM Treaty was the reason we could not develop and test missile defense technologies adequately, and thus the treaty was keeping us defenseless against ballistic missiles.

Madam President, now that the ABM Treaty has ceased to exist, I expect the administration to assert that they are finally free to make unconstrained progress toward defenses against long-range ballistic. As one example, they plan to begin construction of a missile